

USSN: 09/666,928
Atty. Docket No.: 10188/2
Amdt. dated May 21, 2004
Reply to Adv. Action of April 2, 2004
and Final OA of January 21, 2004

Amendment to the Claims:

This listing of claims will replace all prior versions, and listings, of claims in the application:

LISTING OF THE CLAIMS:

Claims 1-8 (cancelled).

Claim 9 (Withdrawn): A method of packaging a frozen novelty, comprising:

- i) providing a frozen ice cream preparation,
- ii) enclosing the ice cream preparation in a heat-sealable white opaque multilayer plastic film, and
- iii) sealing the film to enclose the frozen ice cream preparation.

Claim 10 (Withdrawn): The method of claim 9 wherein the heat-sealable white opaque multilayer plastic film comprises:

- i) a cavitated core layer comprising polypropylene and having a first and a second surface;
- ii) a top tie layer comprising polypropylene and a whitening agent, said top tie layer positioned adjacent to said first surface of the core layer;
- iii) a top skin layer comprising polypropylene or a polyolefin terpolymer, an antiblock agent, said top skin layer positioned adjacent to said top tie layer;
- iv) a bottom tie layer comprising polypropylene, said bottom tie layer positioned adjacent to said second surface of the core layer; and
- v) a bottom skin layer comprising a polyolefin terpolymer, and one or more antiblock agents or antiblock slip agents, said bottom skin positioned adjacent to said bottom tie layer.

Claim 11-12 (Cancelled)

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Claim 13 (Currently Amended): A heat-sealable multilayer white opaque plastic film, comprising:

- i) a cavitated core layer ~~comprising~~ consisting essentially of polypropylene homopolymer of high stereo-regularity and a cavitating agent ~~comprising~~ consisting essentially of polybutylene terephthalate, said core layer having a first and a second surface;
- ii) a top tie layer comprising polypropylene and TiO₂, said top tie layer being positioned adjacent to said first surface of the core layer;
- iii) a top skin layer comprising polypropylene, SiO₂ and methyl acrylate antiblock agent; said top skin layer being positioned adjacent to said top tie layer;
- iv) a bottom tie layer comprising polypropylene, said bottom tie layer being positioned adjacent to said second surface of the core layer; and
- v) a bottom skin layer comprising an ethylene-propylene-butylene terpolymer having a DSC (differential scanning calorimetry) melting point of about 122.5°C, further comprises SiO₂, silicone oil antiblock, and crosslinked silicone slip agent; said bottom skin layer being positioned adjacent to said bottom tie layer; and

wherein the film does not exhibit creep in a Hayssen Vertical Fill, Form and Seal (VFFS) hot tack test at 280-310°F.

Claim 14 (Currently Amended): The film according to claim 13, wherein:

- i) the SiO₂ and methyl acrylate antiblock agent of the top skin layer comprises from about 0.1% by weight to about 0.5% by weight SiO₂ and from about 0.1% by weight to about 0.5% by weight of methyl acrylate;
- ii) the top tie layer comprises up to 10% by weight TiO₂; and
- iii) the core layer ~~comprises~~ consists essentially of from about 7% by weight to about 9% by weight polybutylene terephthalate.

Clam 15 (Currently Amended): The film according to claim 14, wherein:

- i) the top skin layer comprises from about 0.15% by weight to about 0.3% by weight SiO₂ in the form of coated silica and from about 0.15% by weight to about 0.25% by weight

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methyl acrylate;

- ii) the core layer ~~comprises~~ consists essentially of about 8% by weight polybutylene terephthalate; and
- ii) the bottom skin layer comprises an ethylene-propylene-butylene terpolymer and further comprises from about 0.6% by weight to about 2.4% by weight silicone oil antiblock, and from about 0.15% by weight to about 0.3% by weight crosslinked silicone slip agent.

Claim 16 (Previously Presented): The film according to claim 13, wherein the total thickness of the film is about 1 mil and

- i) the top skin layer comprises about 2.5% of the total film thickness;
- ii) the top tie layer comprises about 15% of the total film thickness;
- iii) the core layer comprises about 63% of the total film thickness;
- iv) the bottom tie layer comprises about 15% of the total film thickness; and
the bottom skin layer comprises about 4% of the total film thickness.

Claim 17 (Currently Amended): A heat-sealable multilayer white opaque plastic film, comprising:

- i) a cavitated core layer ~~comprising~~ consisting essentially of polypropylene homopolymer of high stereo-regularity; stereo-regularity and a cavitating agent ~~comprising~~ consisting essentially of polybutylene terephthalate, said core layer having a first and a second surface;
- ii) a top tie layer comprising polypropylene and TiO₂, said top tie layer being positioned adjacent to said first surface of the core layer;
- iii) a top skin layer comprising an ethylene-propylene-butylene terpolymer, SiO₂ and methyl acrylate antiblock agent, said top skin layer being positioned adjacent to said top tie layer;
- iv) a bottom tie layer comprising polypropylene, said bottom tie layer being positioned adjacent to said second surface of the core layer; and
- v) a bottom skin layer comprising an ethylene-propylene-butylene terpolymer having

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a DSC (differential scanning calorimetry) melting point of about 122.5°C and further comprises silicone oil antiblock, and crosslinked silicone slip agent; said bottom skin layer being positioned adjacent to said bottom tie layer; and

wherein the film does not exhibit creep in a Hayssen Vertical Fill, Form and Seal (VFFS) hot tack test at 280-310°F.

Claim 18 (Currently Amended): The film according to claim 17, wherein:

- i) the SiO₂ and methyl acrylate antiblock agent of the top skin layer comprises from about 0.1% by weight to about 0.5% by weight SiO₂ and from about 0.1% by weight to about 0.5% by weight of methyl acrylate;
- ii) the top tie layer comprises up to 10% by weight TiO₂; and
- iii) the core layer ~~comprises~~ consists essentially of from about 7% by weight to about 9% by weight polybutylene terephthalate.

Claim 19 (Cancelled)

Claim 20 (Previously Presented): The film according to claim 17, wherein the total thickness of the film is about 1mil and

- i) the top skin layer comprises about 2.5% of the total film thickness;
- ii) the top tie layer comprises about 15% of the total film thickness;
- iii) the core layer comprises about 63% of the total film thickness;
- iv) the bottom tie layer comprises about 15% of the total film thickness; and
- v) the bottom skin layer comprises about 4% of the total film thickness.

Claim 21 (New): A heat-sealable multilayer white opaque plastic film, comprising:

- i) a cavitated core layer consisting essentially of a polypropylene homopolymer of high stereo-regularity, from about 500ppm to about 700ppm phosphite antioxidant, from about 200ppm to about 400ppm fluoropolymer anti-condensing agent and a cavitating agent consisting essentially of from about 7% by weight to about 9% by weight polybutylene terephthalate, said

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core layer having a first and a second surface;

ii) a top tie layer comprising polypropylene and up to 10% by weight TiO₂, said top tie layer being positioned adjacent to said first surface of the core layer;

iii) a top skin layer comprising an ethylene-propylene-butylene terpolymer, from about 0.15% by weight to about 0.3% by weight SiO₂ in the form of coated silica, and from about 0.15% by weight to about 0.25% by weight methyl acrylate antiblock agent, said top skin layer being positioned adjacent to said top tie layer;

iv) a bottom tie layer comprising polypropylene, said bottom tie layer being positioned adjacent to said second surface of the core layer; and

v) a bottom skin layer comprising an ethylene-propylene-butylene terpolymer having a DSC (differential scanning calorimetry) melting point of about 122.5°C and further comprises from about 0.6% by weight to about 2.4% by weight silicone oil antiblock, and from about 0.15% by weight to about 0.3% by weight crosslinked silicone slip agent; said bottom skin layer being positioned adjacent to said bottom tie layer;

wherein the film does not exhibit creep in a Hayssen Vertical Fill, Form and Seal (VFFS) hot tack test at 280-310°F.